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8 **UNITED STATES DISTRICT COURT**
9 **FOR THE EASTERN DISTRICT OF CALIFORNIA**
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11 DAIRY, LLC, a Delaware Limited Liability
12 Company,

13 Plaintiff/Counterdefendant,

14 vs.

14 MILK MOOVEMENT, INC., a foreign
15 corporation, and MILK MOOVEMENT, LLC,
16 a Delaware Limited Liability company,

17 Defendants/Counterclaimants.
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Case No. 2:21-cv-02233-WBS-AC

AMENDED
CASE SCHEDULING ORDER

Complaint Filed: December 2, 2021

FAC Filed: February 8, 2022

Cross-Complaint Filed: April 27, 2022

FACC Filed: July 21, 2022

AMENDED CASE SCHEDULING ORDER

After reviewing the parties' Joint Request for Continuance and Amended Case Schedule, the court hereby vacates the trial date currently set for September 19, 2023, and amends the case schedule as set forth below. Other than the modifications to the schedule as set forth below, the court's requirements in the May 4, 2022 Status (Pretrial Scheduling) Order remain in place.

I. DISCOVERY

The parties shall substantially complete document production on or before May 12, 2023. Fact discovery shall be so conducted as to be completed by June 5, 2023. The word "completed" means that all discovery shall have been conducted so that all depositions have been taken and any disputes relevant to discovery shall have been resolved by appropriate order if necessary and, where discovery has been ordered, the order has been obeyed. All motions to compel discovery must be noticed on the magistrate judge's calendar in accordance with the local rules of this court and so that such motions may be heard (and any resulting orders obeyed) not later than June 5, 2023.

The parties shall disclose experts and produce reports in accordance with Federal Rule of Civil Procedure 26(a)(2) by no later than June 9, 2023. With regard to expert testimony intended solely for rebuttal, those experts shall be disclosed and reports produced in accordance with Federal Rule of Civil Procedure 26(a)(2) on or before June 23, 2023. All expert depositions shall be concluded by June 30, 2023.

II. MOTION HEARING SCHEDULE

All motions, except motions for continuances, temporary restraining orders, or other emergency applications, shall be filed on or before July 10, 2023. All motions shall be noticed for the next available hearing date.

III. FINAL PRETRIAL CONFERENCE

The Final Pretrial Conference is set for September 11, 2023 at 1:30 p.m. (Pacific Time) in Courtroom No. 5 or via videoconference. The Courtroom Deputy will notify the parties prior to the Conference whether the Conference will be held in person or via videoconference. The


conference shall be attended by at least one of the attorneys who will conduct the trial for each of the parties and by any unrepresented parties.

IV. TRIAL SETTING

The jury trial is set for November 7, 2023 at 9:00 a.m. (Pacific Time). Dairy estimates that the trial will last seven to ten days. Milk estimates that the trial will be completed in ten to twelve days, provided the parties are able to reach agreements on authenticity and pre-admissibility of exhibits, as Milk anticipates they will be able to.

IT IS SO ORDERED.

Dated: January 25, 2023


WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE